

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08-CV-361-GCM**

MARIE TALLEY,

Plaintiff,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

ORDER

1. On June 28, 2011 this Court entered an Order granting the Motion to Preclude Plaintiff's Demand for Punitive Damages [D.I. 77].

2. Plaintiff has requested leave to seek an interlocutory appeal of this ruling to the Fourth Circuit Court of Appeals.

3. Resolution of this issue, which is not isolated to this litigation alone, is important to several related cases. Furthermore, resolution of this issue will assist numerous other United States District Courts in the resolution of related matters.

4. Having considered the Plaintiff's request, the Court finds that the Order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal will materially advance the ultimate termination of the litigation. Therefore, the Plaintiff's request for leave to seek an interlocutory appeal is GRANTED.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Plaintiff's request for leave to seek an interlocutory appeal of the Order [D.I. 77] is GRANTED.

Signed: February 27, 2012

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

